



United States  
Department of  
Agriculture

July 12, 2011

Farm and Foreign  
Agricultural  
Services

Mr. Jason Smathers  
MuckRock  
185 Beacon Street, #3  
Somerville, MA 02143

Risk  
Management  
Agency

RE: Freedom of Information Act Request 11-28


1400 Independence  
Avenue, SW  
Stop 0821  
Washington, DC  
20250-0821

Mr. Smathers:

This is in response to your Freedom of Information Act (FOIA)/Privacy Act request received on January 5, 2011. Specifically, you requested all records referencing the five oldest FOIA and Privacy Act requests which are still being processed that contain information as requested in your email.

Enclosed is one old FOIA responsive to your request. If you have any questions, I can be reached on (202) 690-5701.

Sincerely,

*for* 

Terrie L. Ray  
FOIA/Privacy Officer  
Executive Planning & Administrative  
Support Branch

Enclosure



The Risk Management Agency Administers  
And Oversees All Programs Authorized Under  
The Federal Crop Insurance Corporation

An Equal Opportunity Employer

Ray, Terrie

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**To:** Hand, Michael  
**Subject:** RE: Alan Charles Raul FOIA 10-18

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**From:** Hand, Michael  
**Sent:** Tuesday, February 22, 2011 2:50 PM  
**To:** Ray, Terrie  
**Subject:** RE: Alan Charles Raul FOIA 10-18

Reason for Delay –

RMA continues to work with the Department of Justice regarding the outstanding portion of this request that was generated in relation to an ongoing case with Federal criminal and civil implications. The request entailed the production of specified reports and studies that have been provided. The other major component was a request for “decisions and enforcement actions with respect to Approved Insurance Providers since 1997”. The 2008 Farm Bill contained confidentiality provisions concerning producers and the crop insurance program has traditionally withheld business information about insurance providers to the extent that the release of such information could provide unintended marketplace disruptions. In addition, the case continues to be discussed by both parties with the intent that the issues may be settled. RMA will provide the requested information when the degree to which we can legally divulge such information is determined or the case is settled by the parties.

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NOV 23 2009

Mr. Alan Charles Raul  
Sidley Austin LLP  
1501 K Street, N.W.  
Washington, D.C. 20005

RE: Freedom of Information Act Request 10-18

Dear Mr. Raul.

This will acknowledge receipt of your letter dated October 29, 2009 received on November 16, 2009, requesting information under the provisions of the Freedom of Information Act (FOIA). For your information, your request has been assigned FOIA tracking number: 10-18. Please refer to this number in future communications regarding your request. Specifically, you are requesting information as specified in your letter, items A – D.

Pursuant to 5 U.S.C. § 552(a)(6)(A)(i), FOIA regulations, we are required to respond to your request within 20 business days from receipt of your request. However, extensions of time are allowed when it is necessary for the processing office to search for and collect the requested records from field and other offices. The Executive Planning & Administrative Support Branch is the office responsible for processing FOIA requests for RMA, and as the processing office, we do not maintain the documents. Therefore, it is necessary to search for and collect the documents you requested from the various Offices within the agency. Because of this delay, we require an extension of 10 business days to process your request

We consider you to be in the category of "Commercial Requester", who may be charged fees for searching for documents, reviewing the documents, and duplication. Fees in excess of \$25.00 will be charged for searching, reviewing and duplicating documents responsive to your request. If you have any questions regarding your request, please call me on (202) 690-5701.

Sincerely,



Terrie L. Ray  
FOIA/Privacy Officer  
Executive Planning & Administrative  
Support Branch



United States  
Department of  
Agriculture

Risk  
Management  
Agency

1400 Independence  
Avenue, SW  
Stop 0801  
Washington, DC  
20250-0801

Mr. Alan Raul  
Sidley Austin LLP  
1501 K Street, N.W.  
Washington, DC 20005

December 30, 2009

Via Facsimile (202) 736-8711

RE: Freedom of Information Act Request 10-18

Dear Mr. Raul:

The Risk Management Agency (RMA) is providing this status report in response to your Freedom of Information Act request dated October 29, 2009. Inasmuch as your request covers nearly 13 years, RMA is continuing to gather the available information responsive to your request. We hope you appreciate that trying to process such an expansive request during the holidays has presented some unique challenges as well. Following is a status of each of your lettered requests.

A. Maximizing or Obtaining Optimal or Desired Participation in Crop Insurance Program (sic).

RMA has requested that Product Management in Kansas City compile this information and that effort is in progress.

B. Compliance Decisions or Enforcement Actions with Respect to Approved Insurance Providers.

RMA is compiling a spreadsheet in response to this request to indicate the general location, number, and types of errors identified on policies in the Compliance database. Once RMA provides this data to you, we will be able to discuss whether any modifications or additions can be made without jeopardizing information covered under the Privacy Act.

C. Specific Standards, Policies, Reviews, Decisions, Etc.

RMA will provide in the spreadsheet referenced in B. the types of errors noted during each policy review.

D. Fraud, Willful, Non-Compliance, Error Rates.

RMA is preparing copies of the annual Improper Payment and Information Act of 2002



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reports for your review. These reports will indicate an observed error rate for the crop insurance program based on a random sampling protocol.

RMA appreciates your patience in this matter and will provide the requested information as soon as possible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terrie L. Ray".

Terrie L. Ray  
FOIA/Privacy Officer  
Executive Planning & Administrative  
Support Branch



## Ray, Terrie

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**From:** Ray, Terrie  
**Sent:** Wednesday, March 17, 2010 4:28 PM  
**To:** 'araul@sidley.com'  
**Subject:** Status of FOIA request Tracking Number 10-18

Mr. Araul,

This is to inform you that we will provide you a partial release the week of March 22 regarding your recent FOIA request. Again, I apologize for the delay.

Terrie L. Ray

## Ray, Terrie

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**From:** Ray, Terrie  
**Sent:** Tuesday, March 23, 2010 1:05 PM  
**To:** 'araul@sidley.com'  
**Subject:** FW: Interim Response to FOIA Request 10-18

Mr. Raul, see attached response. There will be multiple e-mails as there are 22 files in total.



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Congress.PDF



2004 Report to  
Congress.PDF



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**Terrie L. Ray**  
**FOIA/Privacy Officer**  
**Risk Management Agency**  
**TEL (202) 690-5701**  
**FAX (202) 720-6665**

## Ray, Terrie

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**From:** Ray, Terrie  
**Sent:** Tuesday, March 23, 2010 1:28 PM  
**To:** 'araul@sidley.com'  
**Subject:** FW: Interim Response to FOIA Request 10-18  
**Importance:** High

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**From:** Ray, Terrie  
**Sent:** Tuesday, March 23, 2010 11:00 AM  
**To:** 'Raul, Alan Charles'  
**Subject:** Interim Response to FOIA Request 10-18



Interim  
onse FOIA 10-18

Mr. Raul, see attached response. There will be multiple e-mails as there are 22 files in total.



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Terrie L. Ray  
FOIA/Privacy Officer  
Risk Management Agency  
TEL (202) 690-5701  
FAX (202) 720-6665

Tracking:



## Ray, Terrie

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**From:** Ray, Terrie  
**Sent:** Wednesday, March 24, 2010 2:47 PM  
**To:** 'staylor@sidley.com'  
**Subject:** FW: Interim Response to FOIA Request 10-18  
**Importance:** High

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**From:** Ray, Terrie  
**Sent:** Tuesday, March 23, 2010 1:19 PM  
**To:** 'araul@sidley.com'  
**Subject:** FW: Interim Response to FOIA Request 10-18  
**Importance:** High

Number 3:

Mr. Raul, see attached response. There will be multiple e-mails as there are 22 files in total.



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Congress Handbo.



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Terrie L. Ray  
FOIA/Privacy Officer  
Risk Management Agency  
TEL (202) 690-5701  
FAX (202) 720-6665

## Ray, Terrie

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**From:** Ray, Terrie  
**Sent:** Tuesday, March 23, 2010 1:18 PM  
**To:** 'araul@sidley.com'  
**Subject:** FW: Interim Response to FOIA Request 10-18  
**Importance:** High

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**From:** Ray, Terrie  
**Sent:** Tuesday, March 23, 2010 11:00 AM  
**To:** 'Raul, Alan Charles'  
**Subject:** Interim Response to FOIA Request 10-18

Number: 2

Mr. Raul, see attached response. There will be multiple e-mails as there are 22 files in total.



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Terrie L. Ray  
FOIA/Privacy Officer  
Risk Management Agency  
TEL (202) 690-5701  
FAX (202) 720-6665

**Ray, Terrie**

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**From:** Ray, Terrie  
**Sent:** Wednesday, March 24, 2010 4:03 PM  
**To:** 'Raul, Alan Charles'  
**Subject:** RE: Interim Response to FOIA Reqeust 10-18

My pleasure!

**From:** Raul, Alan Charles [<mailto:araul@Sidley.com>]  
**Sent:** Wednesday, March 24, 2010 3:52 PM  
**To:** Ray, Terrie  
**Subject:** Re: Interim Response to FOIA Reqeust 10-18

Thanks!

Alan Charles Raul  
Sidley Austin LLP  
202-736-8477 (tel.)  
202-736-8711 (fax)  
202-403-7068 (portable)  
[araul@sidley.com](mailto:araul@sidley.com)  
1501 K Street, NW  
Washington, D.C. 20005

<http://www.sidley.com/infolaw>

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**From:** Ray, Terrie <[terrie.ray@rma.usda.gov](mailto:terrie.ray@rma.usda.gov)>  
**To:** Raul, Alan Charles  
**Sent:** Wed Mar 24 15:34:23 2010  
**Subject:** RE: Interim Response to FOIA Reqeust 10-18  
Mr. Raul,

We will try to save to a CD. I will let you know if it works.

Terrie

**From:** Raul, Alan Charles [<mailto:araul@Sidley.com>]  
**Sent:** Wednesday, March 24, 2010 3:06 PM  
**To:** Ray, Terrie  
**Cc:** Taylor, Sharon Y.  
**Subject:** Re: Interim Response to FOIA Reqeust 10-18

Ms Ray. Another option could be to copy to CD or DVD. That will accommodate very large files. Thanks. Alan

Alan Charles Raul  
Sidley Austin LLP  
202-736-8477 (tel.)  
202-736-8711 (fax)  
202-403-7068 (portable)

[araul@sidley.com](mailto:araul@sidley.com)  
1501 K Street, NW  
Washington, D.C. 20005

<http://www.sidley.com/infolaw>

**From:** Ray, Terrie <[terrie.ray@rma.usda.gov](mailto:terrie.ray@rma.usda.gov)>  
**To:** Raul, Alan Charles  
**Cc:** Taylor, Sharon Y.  
**Sent:** Wed Mar 24 15:04:43 2010  
**Subject:** RE: Interim Response to FOIA Reqeust 10-18  
Mr. Raul,

I have tried to send you the 22 e-mails associated with your requests and have received a failed notification notice because the files are too large. They are even too large to put on a flash drive that we would have to fit. I am afraid if we have to print out the documents at .20 cents per page it will make an unnecessary cost. I spoke with Sharon Taylor to see if your e-mail administrator could expand your e-mail to except larger files. In the meantime, all I am sending is the FOIA response that was to accompany the records.

I will continue to work to see what can be done.

Terrie

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IRS Circular 230 Disclosure: To comply with certain U.S. Treasury regulations, we inform you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this communication, including attachments, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of avoiding any penalties that may be imposed on such taxpayer by the Internal Revenue Service. In addition, if any such tax advice is used or referred to by other parties in promoting, marketing or recommending any partnership or other entity, investment plan or arrangement, then (i) the advice should be construed as written in connection with the promotion or marketing by others of the transaction(s) or matter(s) addressed in this communication and (ii) the taxpayer should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

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